

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
IN RE COLUMBIA UNIVERSITY TUITION : Lead Case No. 1:20-cv-03208 (JMF)
REFUND ACTION :
:-----x

**NOTICE OF UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF THE
PROPOSED SETTLEMENT AND PROVISIONAL CERTIFICATION OF THE
PROPOSED SETTLEMENT CLASS**

PLEASE TAKE NOTICE THAT, upon the Joint Declaration of Roy T. Willey IV and Thomas J. McKenna, sworn to on November 23, 2021, and the accompanying exhibits and memorandum of law, and upon all prior proceedings, pleadings, and filings in the above-captioned action, Named Plaintiffs Student A, Chris Riotta, Lisa Guerra, and Alexandra Taylor-Gutt will move this Court at the United States District Court for the Southern District of New York, 40 Foley Square, New York, New York 10007, before the Honorable Jesse M. Furman, United States District Judge, for an Order under Federal Rule of Civil Procedure 23: (1) preliminarily approving the proposed Settlement on behalf of the Settlement Class Members according to the terms of the Stipulation of Settlement; (2) provisionally certifying, for purposes of the Settlement only, the following Settlement Class:

All students enrolled in Columbia's Programs who were assessed Spring 2020 Fees, with the exception of: (i) any person who withdrew from Columbia on or before March 13, 2020; (ii) any person enrolled solely in a program for the Spring 2020 semester that was always and originally delivered as an online program; (iii) any person who properly executes and files a timely opt-out request to be excluded from the Settlement Class; and (iv) the legal representatives, successors or assigns of any such excluded person;

(3) preliminarily appointing Named Plaintiffs Student A, Chris Riotta, Lisa Guerra, and Alexandra Taylor-Gutt as Settlement Class Representatives; (4) preliminarily appointing the law firms of

Gainey McKenna & Egleston and Anastopoulos Law Firm, LLC as Class Counsel to act on behalf of the Settlement Class and the Settlement Class Representatives with respect to the Settlement; (5) approving the Parties' proposed settlement procedure, including approving the Parties' selection of Simpluris, Inc. as Settlement Administrator and approving the Parties' proposed schedule; (5) entering the proposed Order Preliminarily Approving the Proposed Settlement and Provisionally Certifying the Proposed Settlement Class, attached as Exhibit A to the Stipulation of Settlement, which is attached as Exhibit 1 to the Joint Declaration of Roy T. Willey IV and Thomas J. McKenna; and (6) granting such other and further relief as may be just and appropriate.

Oral argument is requested to the extent desired by the Court.

Dated: November 23, 2021

Respectfully Submitted,

ANASTOPOULOS LAW FIRM, LLC

By: /s/ Roy T. Willey, IV

Roy T. Willey IV (admitted *pro hac vice*)
Eric M. Poulin (admitted *pro hac vice*)
32 Ann Street
Charleston, SC 29403
Tel: (843) 614-8888
Email: roy@akimlawfirm.com
Email: eric@akimlawfirm.com

GAINY McKENNA & EGLESTON

By: /s/ Thomas J. McKenna

Thomas J. McKenna
Gregory M. Egleston
501 Fifth Avenue, 19th Floor
New York, NY 10017
Tel.: (212) 983-1300
Email: tjmckenna@gme-law.com
Email: ggleston@gme-law.com

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2021, I caused a true and correct copy of the foregoing to be served on counsel of record by electronically filing it with the Clerk of the Court using the ECF system, which will send notification of such filing to the registered participants and via email to counsel for Defendant.

/s/ Thomas J. McKenna
Thomas J. McKenna